



PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

		Application Number	10/080,301
		Filing Date	February 21, 2002
		First Named Inventor	SVACEK, Joseph R.
		Group Art Unit	2661
		Examiner Name	to be assigned
Total Number of Pages in This Submission	18	Attorney Docket Number	3857-PA48

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communications to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Executed Declaration/Power of Attorney; Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

ATTORNEY NAME	Heidi L. Eisenhut, Registration No. 46,812
FIRM	BROWN, MARTIN, HALLER & McCLEAIN, LLP
SIGNATURE	
DATE	July 8, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

July 8, 2002

Typed or printed name	Sachiko Y. Snedden
Signature	
Date	July 8, 2002

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**FEES TRANSMITTAL
for FY 2001**

TOTAL AMOUNT OF PAYMENT (\$265)**Complete if Known**

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Filing Date	February 21, 2002
First Named Inventor	SVACEK, Joseph R.
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METHOD OF PAYMENT (check one)		FEES CALCULATION (continued)																																																																																																																																																																																																																																																																																																																																						
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number: 02-4070 Deposit Account Name: BROWN, MARTIN, HALLER & McCLAIN <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 C.F.R. §§1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th colspan="4"></th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th colspan="2">Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td colspan="2">Surcharge - late filing fee or oath</td><td>\$65</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td colspan="2">Surcharge - Late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td colspan="2">Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td colspan="2">For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td colspan="2">Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td colspan="2">Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td colspan="2">Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td colspan="2">Extension for reply within second month</td><td>\$200</td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td colspan="2">Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td colspan="2">Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td colspan="2">Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td colspan="2">Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td colspan="2">Filing a brief in support of appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td colspan="2">Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td colspan="2">Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td colspan="2">Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td colspan="2">Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td colspan="2">Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td colspan="2">Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td colspan="2">Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td colspan="2">Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td colspan="2">Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td colspan="2">Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td colspan="2">Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td colspan="2">Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td colspan="2">For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td colspan="6">Other fee (specify) _____</td><td></td></tr> <tr><td colspan="6">Other fee (specify) _____</td><td></td></tr> <tr> <td colspan="6">* or number previously paid, if greater. For Reissues, see below.</td> <td></td> </tr> <tr> <th colspan="2">2. EXTRA CLAIM FEES</th> <th colspan="4"></th> <th></th> </tr> <tr> <td>Total Claims</td> <td>Extra Claims</td> <td>Fee from below</td> <td></td> <td>Fee Paid</td> <td></td> <td></td> </tr> <tr> <td>- 20** =</td> <td>X</td> <td>=</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Independent Claims</td> <td>- 3** =</td> <td>X</td> <td>=</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td>=</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="7"><i>* or number previously paid, if greater. 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SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	HEIDI L. EISENHUT	Registration No. (Attorney/Agent)	46,812	Telephone (619) 238-0999
Signature	<i>Heidi Eisenhut</i>		Date	July 8, 2002

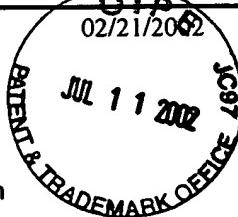
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Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/080,301	02/21/2002	Joe Svacek	3857-PA48



Heidi L. Eisenhut
 Brown Martin Haller & McClain
 1660 Union Street
 San Diego, CA 92101

CONFIRMATION NO. 8367
FORMALITIES LETTER



OC000000007759754

Date Mailed: 04/01/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

Selcm

Customer Service Center
 Initial Patent Examination Division (703) 308-1202
 PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/16/2002 HMARZI1 00000034 10080301

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01 FC:205



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
INVENTOR(S): SVACEK, Joseph R. et al.) FOR: DYNAMIC BANDWIDTH
Serial No.: 10/080,301) ALLOCATION SYSTEM
Filed: February 21, 2002)
) Group
) Art Unit: 2661
)

**LETTER IN RESPONSE TO NOTICE TO FILE
MISSING PARTS OF APPLICATION**

Commissioner for Patents
Washington, D.C. 20231
Box Missing Part

Dear Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted,
which was mailed by the Office on April 1, 2002, enclosed are the following:

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Commissioner for Patents , Washington, D.C. 20231 on:

July 8, 2002
(Mailing Date)

Sachiko Y. Snedden
(Typed Name)

Sachiko Y. Snedden
(Signature)

July 8, 2002
(Date of Signature)

1. A check in the amount of \$65 for the surcharge fee;
2. Office's copy of Formalities Letter;
3. Executed Declaration/Power of Attorney;
4. Petition for Extension of Time with \$200; and
5. Return postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4070. A duplicate copy of this letter is enclosed.

Respectfully submitted,

Dated: 7/8/02

By: Heidi Eisenhut
Heidi L. Eisenhut
Attorney for Applicant
Registration No. 46,812

BROWN MARTIN HALLER & McCLAIN LLP
1660 Union Street
San Diego, California 92101

Telephone: (619) 238-0999
Facsimile: (619) 238-0062

Docket No.: 3857-PA48